

**REMARKS**

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1, 3-7, and 9-14 are in the present application. It is submitted that the claims, as originally presented, were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. Changes to the claims as presented herein, are not submitted for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are submitted simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1, 3-7 and 9-14 were rejected under 35 U.S.C. § 102(e) as being anticipated by Herz et al. (U.S. Patent 5,758,257). However, the present invention performs a step of “rearranging and displaying the EPG based on a genre priority table formed using the retrieved information and the calculated genre taste value.” (Claims 1 and 7) The display of a rearranged EPG is disclosed on page 31 of the specification. As mentioned by the Examiner, Herz does disclose generating a list of programs the user might want to watch based on a customer profile. However, Herz does not actually discuss rearranging and displaying the EPG based on this list of programs. At most, Herz discloses highlighting the recommended programs on the original EPG. (Column 23, lines 1-4) In fact, Herz’ preferred embodiments simply generate virtual channels which are sent to the customer’s set-top-box, so as not to require selection by the

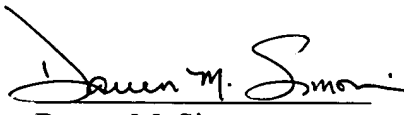
customer. (Column 4, lines20-58) Therefore, for at least this reason, Herz fails to anticipate the present invention and the rejected claims should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:   
Darren M. Simon  
Reg. No. 47,946  
(212) 588-0800